

Election Observer Panel Plan

Updated December 2007

I. County and System Information

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| 1. Name of County | Santa Cruz |
| 2. Name of Contact | Gail L. Pellerin, County Clerk |
| 3. Contact's Phone | 831-454-2419 |
| 4. Vendor and Voting Systems Used by County | Sequoia Optech Insight and AVC Edge II |
| 5. Date | December 21, 2007 |

II. Purpose

In Santa Cruz County, an Election Observer Panel is invited to observe all critical procedures of the election process, including Logic and Accuracy testing of each AVC Edge II touchscreen unit, Logic and Accuracy testing of each Optech Insight scanner, vote-by-mail ballot processing, election officer trainings, Election Day activities, Election Night ballot counting, and canvass procedures.

III. Invite

Between E-60 and E-30, prepare letters of invitation to the following:

1. County Grand Jury
2. Political Party representatives
3. Representatives from jurisdictions on the ballot
4. League of Women Voters
5. Media
6. Other groups or individuals who have expressed an interest in observing the vote tallying and other election processes

IV. Duties, General Rules of Conduct

OVERVIEW

Election observers may wish to view election processes and procedures at various locations:

1. Santa Cruz County Clerk/Elections, 701 Ocean Street, Room 210, in Santa Cruz
2. Santa Cruz County Clerk/Elections Warehouse, 2809 Mission Street, in Santa Cruz
3. Polling places designated for each election
4. Watsonville City Clerk's Office or City Hall when they are conducting early voting for Primary and General Elections at 275 Main Street, in Watsonville

CHECK IN PROCEDURES

At Warehouse, County Elections Office or Watsonville City Clerk's Office:

1. All observers must sign in upon arrival
2. An Election Observer Badge will be issued and must be worn at all times
3. When leaving premises, observers must sign out and return the badge to the front counter.
4. All observers must maintain a professional manner while observing the election processes.

At Polling Places:

1. If your group would like to observe activities at a polling place, please provide the names of the individuals to the County Clerk by February 1, 2008. Letters of introduction will be prepared for the observers to use when visiting polling places.
2. Upon arrival, please present the Election Officer with the letter of introduction and explain your plans for observing.
3. All observers must maintain a professional manner while observing the election processes.

If necessary, Observers who fail to comply with the rules/procedures contained in these guidelines may be asked to leave and/or a local law enforcement agency may be called for assistance.

Interfering with Election Officers holding an election or with voters lawfully exercising their rights of voting at an election, is punishable by imprisonment in the state prison for 16 months and up to 3 years (California Elections Code §18502).

Election Officers will cooperate with any reasonable request from observers.

GENERAL RULES FOR OBSERVERS AT THE CENTRAL LOCATION OR POLLING SITES

Observers may:

1. Observe the proceedings at all locations, including the opening and closing procedures at the polls.
2. Obtain information from the Public Alpha Index indicating who has come in to vote.
3. Make notes and watch all procedures.
4. View all activities at all locations.
5. View all election night polling place check-in and counting procedures.
6. View the canvass of the vote activities following the election.
7. View vote-by-mail and provisional ballot processing during the canvass.
8. Ask questions of staff or voters at all locations as long as it does not violate electioneering laws or disrupt the elections processes.
9. Ask questions of supervisors at the central counting site.

Observers may not:

1. Interfere in any way with the conduct of any election.
2. Sit at the official worktable or touch any of the official voting equipment, supplies, or ballots.
3. Converse with voters (within 100 feet of a central voting location) regarding the casting of a vote, or speak to a voter regarding his or her qualifications to vote.
4. Wear candidate badges, discuss candidates or issues, or bring any campaign material into the polling place, and/or within 100 feet of the entrance to the polling place.
5. Wear the uniform of a peace officer, a private guard or security personnel.
6. Use cellular telephones, pagers or two-way radios inside the polling place, and/or within 100 feet of the entrance to the polling place.
7. Use the telephones or computers.
8. Use the area between the official worktable and voting booths as an observation point/post.
9. Touch election personnel.
10. Eat or drink at any location.
11. Assist in operations at any location.
12. Photograph, videotape, or otherwise record a voter entering or exiting a polling place with intent of dissuading them from voting.
13. All photography or videotaping must be approved by the site supervisor.

GENERAL RULES FOR OBSERVING VOTING SYSTEM PREPARATIONS AT THE WAREHOUSE**Observers may...**

1. Observe the proceedings at the warehouse, including:
 - a. Logic and Accuracy Testing of Insight scanners and Edge touchscreens
 - b. Programming of Result Cartridges and MemoryPacks
 - c. Sealing, storage and security of voting units
 - d. Asset tracking of equipment
 - e. Ballot quality control, testing, and security
 - f. Chain of custody records for equipment and ballots
 - g. Preparation of polling place supplies for delivery to the polling sites
 - h. Preparation of voting supplies for pick up by the Inspectors

Observers may not...

1. Interfere in any way with the preparation of the election.
2. Use the warehouse telephone, except in cases of an emergency.
3. Wear candidate badges, discuss candidates or issues, or bring any campaign material into the warehouse.
4. Sit at any designated official worktable or handle any of the official voting equipment, supplies, or ballots.
5. Enter the caged area without a staff with a green badge escorting you.
6. Walk around the warehouse without an escort who is wearing a green, blue or yellow badge.
7. Use cellular telephones, pagers or two-way radios inside the elections warehouse.
8. Photograph, videotape, or otherwise record activities occurring at the warehouse without approval of the site supervisor.

GENERAL RULES FOR OBSERVING CANVASS PROCEDURES

1. No observer shall interfere with the orderly processing of vote-by-mail ballot return envelopes or processing and counting of vote-by-mail ballots, including touching or handling of the ballots or envelopes. (Elections Code §15104e)
2. Observers will be permitted access to a designated observation area, sufficiently close to enable them to observe and challenge whether individuals handling vote-by-mail ballots are following established procedures (Elections Code 15104d)
3. If the challenge process unduly impedes or interferes with the verification process, challenges shall be discontinued.
4. Radios, cameras and tape recorders are not allowed. Pagers and cellular phones must be set to vibrate or off mode while observing the canvass. You may use one of the telephones in the front office should you need to make a call.
5. The individual's function is to observe that procedures are followed. Observers cannot assist in operations, touch or handle any ballots or other election-related materials.
6. All questions concerning a procedure should be directed to the site supervisor and not directly to employees.
7. The number of observers may be limited so as not to interfere with the process. Observers should avoid physical contact with employees.
8. Observers are to hold discussions and conversations outside the designated Canvass work areas.
9. Observers will be allowed into the canvass work areas only when employees are performing canvass operations.
10. Operations will continue as scheduled whether or not an observer is present.

BALLOT CHALLENGES

1. Any member of the county grand jury, and at least one member each of the political party Central Committees or County Councils who have a candidate on the ballot, and any other interested organizations, shall be permitted to observe and challenge the manner in which the vote-by-mail ballots are handled, from the processing of vote-by-mail ballot return envelopes through the counting and disposition of the ballots (Elections Code §15104b)
2. Observers may not challenge signatures on vote-by-mail ballot return envelopes. Only the elections official shall perform signature comparison, in accordance with Division 3 of the California Elections Code.
3. Observers may challenge whether the individuals handling vote-by-mail ballots are following established procedures. Please see established procedures for processing vote-by-mail ballots provided by the Santa Cruz County Clerk/Elections Department.

V. Mechanism for Feedback

Panelists are provided a form for providing feedback concerning the ballot tabulation process and any other aspects of the administration of the election. However, panelists may also provide verbal feedback or written feedback, which does not have to be on the provided form.